

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/747,926	MISAWA ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Nelson D. Hernandez	2612	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendments received on November 10, 2005.
2. ☒ The allowed claim(s) is/are 7, 9, 12-17, 28, 29, 36, 37 and 40-110 (Renumbered as 1-83).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
  1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

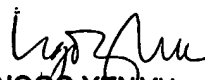
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____</li> <li>7. <input type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____</li> </ol> |
|---|--|

  
**NGOC-YEN VU**  
**PRIMARY EXAMINER**

## **DETAILED ACTION**

### ***Response to Amendment***

1. The Examiner acknowledges the amendments made on the claims received on November 10, 2005. Claims 7, 9, 12-17, 28, 29, 36, 37, 40 and 41 have been amended. Claims 1-6, 8, 10, 11, 18-27, 30-35, 38 and 39 have been cancelled. Claims 42-110 have been newly added.

### ***Response to Arguments***

2. Applicant's arguments, see page 20, line 6 – page 21, line 16, filed November 10, 2005, with respect to claims 7, 9 and 17 have been fully considered and are persuasive. The rejections of claims 7, 9 and 17 have been withdrawn.

### ***Allowable Subject Matter***

3. **Claims 7, 9, 12-17, 28, 29, 36, 37 and 40-110 (Renumbered as 1-83) are allowed.**

4. The following is a statement of reasons for the indication of allowable subject matter:

**Regarding claims 7 (Renumbered as 1),** the main reason for indication of allowable subject matter is because the prior art fails to teach or reasonably suggest the switch portion being assigned to the function associated with a relative position with respect to the display and that the display displays

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information related to the operation mode selected by the user at the center thereof, and that the information related to the function assigned to said respective switch portions is presented as a symbol.

**Regarding claims 9 and 17** (Renumbered as 11 and 23 respectively), the main reason for indication of allowable subject matter is because the prior art fails to teach or reasonably suggest that the display displays in the vicinity of said switch portions information related to the functions assigned to at least one of said respective switch portions and that the display displays information related to the operation mode selected by the user at the center thereof, and that the information related to the function assigned to said respective switch portions is presented as a symbol.

**Regarding claim 57** (Renumbered as 30), the main reason for indication of allowable subject matter is because the prior art fails to teach or reasonably suggest the display arranged to be wedged in a crossing of said cross key for presenting at least a function corresponding to the operation mode selected by the user, said function being different in accordance with the operation mode selected by the user, wherein said display displays in the vicinity of said switch portions information related to the functions assigned to at least one of said respective switch portions, wherein said input unit is arranged on a face of said information recording apparatus that faces a user when the user uses said information recording apparatus in such a manner that said input unit is positioned at an upper portion of a center of the face on a right side of the center.

**Regarding claim 70** (Renumbered as 43), the main reason for indication of allowable subject matter is because the prior art fails to teach or reasonably suggest a display for presenting at least a function corresponding to the operation mode selected by the user, arranged to be wedged in a crossing of said cross key, said function being different in accordance with the operation mode selected by the user, wherein said display displays in the vicinity of said switch portions information related to the functions assigned to at least one of said respective switch portions, wherein an input unit is arranged on a face of said digital camera that faces a user when the user uses said digital camera in such a manner that said input unit is positioned at an upper portion of a center of the face on a right side of the center.

**Regarding claim 79** (Renumbered as 52), the main reason for indication of allowable subject matter is because the prior art fails to teach or reasonably suggest the switch portion being assigned to the function associated with a relative position with respect to said display, and that the display displays information related to the operation mode selected by the user as a first icon and information related to the function assigned to said respective switch portions as a second icon, and said first icon is larger than said second icon.

**Regarding claim 90** (Renumbered as 63), the main reason for indication of allowable subject matter is because the prior art fails to teach or reasonably suggest that the display displays in the vicinity of said switch portions information related to the functions assigned to at least one of said respective switch portions, wherein said display displays information related to the operation mode

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selected by the user as a first icon and information related to the function assigned to said respective switch portions as a second icon, and said first icon is larger than said second icon.

**Regarding claim 103** (Renumbered as 76), the main reason for indication of allowable subject matter is because the prior art fails to teach or reasonably suggest that the display displays in the vicinity of said switch portions information related to the functions assigned to at least one of said respective switch portions, wherein said display displays information related to the operation mode selected by the user as a first icon and information related to the function assigned to said respective switch portions as a second icon, and said first icon is larger than said second icon.

### ***Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nelson D. Hernandez whose telephone number is (571) 272-7311. The examiner can normally be reached on 8:30 A.M. to 6:00 P.M..


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc Yen Vu can be reached on (571) 272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nelson D. Hernandez  
Examiner  
Art Unit 2612

NDHH  
January 19, 2006



NGOC-YEN VU  
PRIMARY EXAMINER